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FILE: 54936.000050



February 13, 2004

### UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: **54936.000050**

First Named Inventor: **Rebecca TORISKY et al.**

Title: **A METHOD FOR REGENERATING AND TRANSFORMING ST. AUGUSTINEGRASS FROM EMBRYOGENIC CALLUS**

Customer No. **21967**

TO: **MAIL STOP PATENT APPLICATION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☐ Fee Transmittal Form (original and duplicate)
2. ☐ Small Entity Status Claimed: ☐ Independent Inventor  
☐ Small Business Concern  
☐ Non-Profit Organization
3. ☒ Specification - Total Pages: **Thirty (30)** (Including Abstract)

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CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims		20	0	\$ 18.00	\$ 9.00	\$ 0.00
Independent Claims		3	0	\$ 86.00	\$ 43.00	\$ 0.00
First Presentation of Multiple Dependent Claims				\$ 290.00	\$ 145.00	\$ 0.00
<b>BASIC FEE</b>				\$ 770.00	\$ 385.00	\$ 0.00
<b>TOTAL FILING FEE</b>						\$ 0.00
Assignment Recordation Fee						\$ 0.00
<b>TOTAL AMOUNT</b>						<b>\$ 0.00</b>

4. ☒ Drawings - Total Sheets: Four (4) (Fig(s). 1-4)
5. Oath or Declaration - Total Pages: 3
- a. ☐ Newly executed (original or copy)  
☒ New (unexecuted)
6. ☐ Application Data Sheet
7. ☐ CD-ROM or CD-R in duplicate, large table or Microfiche Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
9. ☐ Assignee/Applicant: \_\_\_\_\_
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement with PTO-1449 and References  
☐ Copies of Information Disclosure Statement Citations
13. ☐ Preliminary Amendment

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14. ☒ Return Receipt Postcard
15. ☐ Priority is Claimed as Follows:  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Claim Benefit of the Following U.S. Provisional Application No(s):  
\_\_\_\_\_  
\_\_\_\_\_
16. ☒ Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent.
17. ☐ Other: \_\_\_\_\_
18. ☐ Continuation ☐ Divisional ☐ Continuation-in-Part of  
Prior Application No.: \_\_\_\_\_ filed \_\_\_\_\_
- Prior application information: Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_
- ☐ Complete Application Based on Provisional Application No.: \_\_\_\_\_  
filed \_\_\_\_\_
19. Please address all correspondence to:
- ☒ **CUSTOMER NUMBER 21967**
- Robert M. Schulman, Esq.**  
Intellectual Property Department  
Hunton & Williams LLP  
1900 K Street, N.W.  
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20. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:
21. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any such variance to **Deposit Account No. 50-0206**.

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☐ The U.S. Patent and Trademark Office is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206**.

Respectfully submitted,

By:

  
Robert M. Schulman, Esq.  
Registration No. 31,196

Samson Vermont, Esq.  
Registration No. 42,202

RMS/SV/jt

Enclosures

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Rebecca TORISKY et al.

Title

**A METHOD FOR REGENERATING AND  
TRANSFORMING ST. AUGUSTINEGRASS  
FROM EMBRYOGENIC CALLUS**

Attorney Docket No.

54936.000050

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen (18) months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 13, 2004

Date



Signature

Samson Vermont

Typed or printed name

42,202

Registration No.

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen (18) months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen (18) months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**